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14 *Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,*  
15 *Blythe Solar Power Project Unit 3, LLC and*  
*Blythe Solar Power Project Unit 4, LLC*

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19 MMR GROUP, INC.,  
20 MMR POWER SOLUTIONS, LLC and  
SOUTHWESTERN POWER GROUP II, LLC,  
21 Plaintiffs,

22 vs.

23 STA DEVELOPMENT, LLC (F/K/A SOLAR  
MILLENNIUM, LLC), SOLAR TRUST OF  
24 AMERICA, LLC, SOLAR MILLENNIUM AG,  
SOLAR MILLENNIUM, INC., CA I-10 SOLAR, LLC,  
25 PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR  
II, LLC, BLYTHE SOLAR POWER PROJECT UNIT 1,  
26 LLC, BLYTHE SOLAR POWER PROJECT UNIT 2,  
LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC  
27 AND BLYTHE SOLAR POWER PROJECT UNIT 4, LLC  
28 Defendants.

Case No. 3:11-cv-01521-EMC

**NINTH STIPULATION TO  
EXTEND DEFENDANTS'  
TIME TO RESPOND TO  
AMENDED COMPLAINT  
AND [PROPOSED] ORDER**

**The Honorable Judge  
Edward M. Chen**

1 Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and  
 2 SOUTHWESTERN POWER GROUP II, LLC (collectively, “MMR”) and Defendants STA  
 3 DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,  
 4 CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,  
 5 BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT  
 6 UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR  
 7 POWER PROJECT UNIT 4, LLC (collectively, the “STAD Defendants”) respectfully request  
 8 that the Court extend the time for the STAD Defendants to respond to the Amended Complaint,  
 9 filed on October 4, 2011 (ECF No. 102) and served on the STAD Defendants on October 7, 2011,  
 10 by two weeks from February 7, 2012 to February 21, 2012.

11 On November 4<sup>th</sup> and 14<sup>th</sup>, the parties requested, and this Court later granted, a one-week  
 12 extension of time for the STAD Defendants to respond to the Amended Complaint because the  
 13 parties were in advanced stages of settlement discussions. On November 22<sup>nd</sup>, December 1<sup>st</sup>,  
 14 December 27<sup>th</sup>, January 10<sup>th</sup>, and January 20<sup>th</sup> the parties requested, and this Court later granted,  
 15 extensions of two weeks due to continued progress in settlement negotiations.

16 In December 2011, Solar Millennium AG – parent company of the STAD Defendants –  
 17 filed for bankruptcy in Germany. This has complicated the extensive settlement discussions  
 18 between Plaintiffs and STAD Defendants, which involves a deal with a third-party purchaser of  
 19 STA Development, LLC’s assets. Despite these complications, the parties remain optimistic that  
 20 a settlement is on the horizon and that they will execute a settlement agreement forthwith. Due to  
 21 the continued progress in reaching a settlement, the parties request a two-week extension of the  
 22 time for the STAD Defendants to respond to the Amended Complaint. The parties’ request will  
 23 have a *de minimis*, if any, impact on the schedule. In the interests of judicial economy, the parties  
 24 therefore request that the Court extend the STAD Defendants’ time to respond to the Amended  
 25 Complaint by two weeks from February 7, 2012 to February 21, 2012.

1 Dated: February 3, 2012

**MILBANK, TWEED, HADLEY & McCLOY LLP**

2 By: /s/ Rachel Penski Fissell

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18 *Palo Verde Solar II, LLC, Blythe Solar Power Project*  
19 *Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,*  
20 *Blythe Solar Power Project Unit 3, LLC and Blythe Solar*  
21 *Power Project Unit 4, LLC*

22 Dated: February 3, 2012

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29 PURSUANT TO STIPULATION, IT IS SO ORDERED.

30 Dated: \_\_\_\_\_

UNITED STATES DISTRICT JUDGE